

12-13-02

RCE/1376/

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Dec 12 2002

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000.

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/894,042
Filing Date: June 28, 2001
First-Named Inventor: Dane R. Jackson
Group Art Unit: 3761
Examiner Name: D. Ruhl
Attorney Docket Number: 460.2125USU

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. XXXX Previously submitted
 - i. XXXX Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on October 15, 2002 (any unentered amendment(s) referred to above will be entered).
 - ii. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. _____ Other _____
- b. _____ Enclosed
 - i. _____ Amendment/Reply
 - ii. _____ Affidavit(s)/Declaration(s)
 - iii. _____ Information Disclosure Statement (IDS)
 - iv. _____ Other _____

2. Miscellaneous

- a. _____ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. XXXX Other Request for Extension of Time

3. Fees The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. _____ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 01-0467.
 - i. XXXX RCE fee (\$740.00) required under 37 C.F.R. §1.17(e)
 - ii. XXXX Extension of Time fee (\$400.00) (37 C.F.R. §§ 1.136 and 1.17)
 - iii. XXXX Request for Extension of Time
- b. XXXX Check in the amount of \$1,140.00 enclosed
- c. _____ Payment by credit card (Form PTO-2038 enclosed)
- d. XXXX The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 01-0467.

December 12, 2002

Date of Signature

Charles N.J. Ruggiero, Esq.

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. EV 079549366 US, service under 37 CFR §1.10 and is addressed to: Box RCE, Commissioner for Patents, Washington, D.C. 20231, on December 12, 2002.

Mary R. Charles

(Typed name of person mailing paper)

(Signature of person mailing paper)